

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

KOCH FOODS OF ALABAMA, LLC,
an Alabama limited liability company,

Plaintiff and Counter-
Defendant,

vs.

GENERAL ELECTRIC CAPITAL
CORPORATION, a Delaware corporation,

Defendant, and Counter-
Plaintiff,

CIVIL ACTION NO.
2:07 CV 522-MHT

GENERAL ELECTRIC CAPITAL CORPORATIONS'S REPLY
REGARDING DEPOSITION DESIGNATIONS TO BE USED AT TRIAL

Defendant and Counterplaintiff, General Electric Capital Corporation ("GE Capital"), by and through its undersigned counsel, pursuant to Section 10 of the Uniform Scheduling Order (the "Scheduling Order"), and upon the representation of Koch Foods of Alabama, LLC that it will call each of the individuals for whom responsive deposition designations were identified (i.e. Mark Kaminsky, Wayne Jones, and David Bromley) as witnesses at trial, designates no further deposition designations at this time. GE Capital reserves its rights, pursuant to Section 10 of the Scheduling Order, to use any part of a deposition or document not otherwise identified herein for the purpose of impeachment.

Dated: March 17, 2008.

By: /s/ Rusha C. Smith
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CERTIFICATE OF SERVICE

I hereby certify that on March 17, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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